



the Order, the remainder of the fee will be stayed. The fee will be paid by check or money order made payable to the Missouri Ethics Commission.

3. Regardless of the stay in paragraph 2 above, if any Respondent commits any further violation of the campaign finance laws under Chapter 130, RSMo, within the two-year period from the date of this order, Respondents Chris Carter Sr., and Committee to Elect Chris Carter Sr., shall be jointly and severally liable for all fees imposed under this order, subject to the terms in subparagraph c above..
4. Respondents shall be jointly and severally liable for all fees imposed under this order.

SO ORDERED this 20<sup>th</sup> day of August,  
2014

By:



---

Charles Weedman, Chair  
Missouri Ethics Commission



behalf at the hearing; and the right to a decision upon the record of the hearing. Being aware of these rights provided to Respondents by operation of law, the undersigned Respondents knowingly and voluntarily waive each and every one of these rights and freely enter into this Joint Stipulation of Facts, Waiver of Hearing before the Missouri Ethics Commission, and Consent Order with Joint Proposed Findings of Fact and Conclusions of Law, and agree to abide by the terms of this document.

## **I.**

Based upon the foregoing, the Petitioner and the undersigned Respondents jointly stipulate to the following and request that the Missouri Ethics Commission adopt as its own the Joint Proposed Findings of Fact and the Joint Proposed Conclusions of Law, as follows:

### **JOINT PROPOSED FINDINGS OF FACT**

1. The Missouri Ethics Commission is an agency of the State of Missouri established pursuant to Section 105.955, RSMo, in part for the purpose of enforcing the provisions of Chapter 130, RSMo.
2. Respondent Committee to Elect Chris Carter Sr., is a candidate committee which has been registered with the Ethics Commission since December 2013.
3. Respondent Carter is a candidate for State Representative, 76th District, in the August 2014 primary election.
4. Pursuant to Section 105.957, RSMo, the Commission's staff has investigated a complaint filed with the Commission and reported the investigation findings to the Commission.
5. Based on the report of the Commission's staff, the Commission determined that there were reasonable grounds to believe that violations of law occurred, and it therefore authorized a hearing in this matter pursuant to Section 105.961.3, RSMo.

**COUNT 1**

*Failure to timely file a Statement of Committee Organization and October 2013 quarterly disclosure report*

6. Respondents opened a committee bank account in August 2013 and began taking contributions and making expenditures in September 2013.

7. Respondents' bank records reflect contributions received totaling \$4,250 and an expenditure made of \$200 in September 2013, which would have required them to file an October 2013 Quarterly report.

8. Respondents were required to file a Statement of Committee Organization no later than the date for filing the October 2013 quarterly report, which was October 15, 2013.

9. Respondents filed a Statement of Committee Organization with Petitioner on December 18, 2013, approximately two (2) months after the October 15 deadline.

10. As of the date of this complaint, Respondents have not filed an October 2013 Quarterly report.

**COUNT II**

*Failure to timely and accurately report contributions*

11. According to committee records received from the Respondents' treasurer, Respondents accepted a cash contribution in the amount of \$220 in November 2013.

12. Respondents received a monetary (non-cash) \$150 contribution on or about November 15, 2013 but failed to report it on a disclosure report with the Ethics Commission.

### **COUNT III**

#### *Failure to include the proper "paid for by" disclosure*

13. Respondents published, circulated and/or distributed a letter, attached hereto as Exhibit A, by mailing it to voters in the District.
14. Respondent Chris Carter, Sr., paid for the printed matter attached hereto as Exhibit A.
15. The printed matter attached hereto as Exhibit A relates to Respondent Carter as a candidate in the August 2014 primary election.
16. The printed matter attached hereto as Exhibit A should have contained a clear and conspicuous statement: "Paid for by Chris Carter Sr.," but it did not.

### **JOINT PROPOSED CONCLUSIONS OF LAW**

### **COUNT 1**

#### *Failure to timely file a Statement of Committee Organization and October 2013 quarterly disclosure report*

17. §130.011.(7), RSMo defines a "committee" as a person or any combination of persons, who accepts contributions or makes expenditures for the primary or incidental purpose of influencing or attempting to influence the action of voters.
18. §130.021.5, RSMo specifies that a treasurer or candidate shall file a Statement of Committee Organization with the appropriate officer within twenty days after the person or organization becomes a committee but no later than the date for filing the first report required pursuant to the provisions of section 130.046.
19. §130.046.3, RSMo specifies the candidate, if applicable, treasurer or deputy treasurer of a committee shall file disclosure reports pursuant to this section, except for any

calendar quarter in which the contributions received by the committee or the expenditures or contributions made by the committee do not exceed five hundred dollars. The reporting dates and periods covered for such quarterly reports shall not be later than the fifteenth day of January, April, July and October for the periods closing on the thirty first day of December, the thirty-first day of March, the thirtieth day of June and the thirtieth day of September.

20. There is probable cause to believe that Respondents violated Sections 130.021.5 and 130.046.3, RSMo, by failing to timely file a Statement of Committee Organization and by failing to file an October 2013 Quarterly report, and that Respondents did so knowingly.

## COUNT II

### *Failure to timely and accurately report contributions*

21. “No contribution of cash in an amount of more than one hundred dollars shall be made by or accepted from any single contributor for any election by a . . . candidate committee.” § 130.031.1, RSMo.

22. “No contribution in cash in an amount in excess of one hundred dollars shall be made or accepted from any single contributor for any election.” § 130.110(1), RSMo.

23. “Candidates and candidate committees shall not accept contributions of cash that, in the aggregate, are in excess of one hundred dollars per person per election cycle.” § 130.110(2), RSMo.

24. “Except for expenditures from a petty cash fund which is established and maintained by withdrawals from the committee’s depository account and with records maintained pursuant to the recordkeeping requirements of section 130.036 to account for expenditures made from petty cash, each expenditure of more than fifty dollars, except an in-

kind expenditure, shall be made by check drawn on the committee's depository and signed by the committee treasurer, deputy treasurer or candidate. §130.031.2, RSMo.

25. "A single expenditure from a petty cash fund shall not exceed fifty dollars." § 130.031.2, RSMo.

26. Under Section 130.041.1(3)(e), RSMo, a committee shall report the full name and mailing address of each person from whom a contribution is received in excess of \$100 in the aggregate along with the contributor's employer or occupation if self-employed, the date received and amount.

27. There is probable cause to believe that Respondents violated Sections 130.031.1, 130.110, and 130.041.1(3)(e), RSMo, by receiving a cash contribution in excess of the allowable limits and by failing to report a contribution over \$100, and that Respondents did so knowingly.

### **COUNT III**

#### *Failure to include the proper "paid for by" disclosure*

28. "Any person publishing, circulating, or distributing any printed matter relative to any candidate for public office or any ballot measure shall on the face of the printed matter identify in a clear and conspicuous manner the person who paid for the printed matter with the words "Paid for by" followed by the proper identification of the sponsor pursuant to this section." § 130.031.8, RSMo.

29. In regard to any printed matter paid for by a candidate from the candidate's personal funds, it shall be sufficient identification to print the first and last name by which the candidate is known. § 130.031.85(1), RSMo.

30. There is probable cause to believe that Respondents violated Section 130.031.8, RSMo, by publishing, circulating and distributing a letter regarding Respondent Carter, a candidate in the August 2014 election, without including the proper “paid for by” disclosure.

## II.

Based on the foregoing, the parties hereto mutually agree and stipulate that the following shall constitute the order entered by the Missouri Ethics Commission in this matter. This order will be effective immediately upon the issuance of the Consent Order of the Missouri Ethics Commission without further action by any party:

1. The parties to this Joint Stipulation understand that the Petitioner will maintain this Joint Stipulation as an open and public record of the Missouri Ethics Commission.

2. The Commission shall issue its Consent Order in the form attached hereto as Exhibit B.

a. Respondents shall comply with all relevant sections of Chapter 130, RSMo.

b. It is the Order of the Missouri Ethics Commission that a fee is imposed against Respondents in the amount of \$1,470, pursuant to Section 105.961.4(6), RSMo. However, if Respondents pay \$235 of that fee within forty-five days after the date of the Order, the remainder of the fee will be stayed. The fee will be paid by check or money order made payable to the Missouri Ethics Commission.

c. Regardless of the stay in paragraph 2.b above, if any Respondent commits any further violation of the campaign finance laws under Chapter 130, RSMo, within the two-year period from the date of this order, Respondents Carter and Committee to Elect Chris Carter, Sr., shall be jointly and severally liable for all fees imposed under this order..

d. Respondents Carter and Committee to Elect Chris Carter, Sr., shall be jointly and severally liable for all fees imposed under this order.

3. The parties consent to the entry of record and approval of this Joint Stipulation and to the termination of any further proceedings before the Commission based upon the Complaint filed by the Petitioner in the above action.

4. Respondents, together with their heirs, successors, and assigns, do hereby waive, release, acquit and forever discharge the Missouri Ethics Commission and its attorneys of or from any liability, claim, actions, causes of action, fees, costs and expenses, and compensation, including but not limited to, a claim for attorney's fees whatsoever which Respondents or Respondents' attorney may now have or which they may hereafter have, which are based upon or arise out of the above cases.

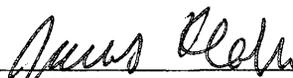
5. This joint stipulation does not settle, release, waive, or otherwise relieve Respondents from any late filing fees due to the appropriate filing authority, including Petitioner Missouri Ethics Commission. Respondents understand that late filing fees accrue automatically under Section 105.963, RSMo.

SO AGREED:

RESPONDENT CHRIS CARTER, SR.

By:  8/15/14  
Chris Carter, Sr. Date

PETITIONER MISSOURI ETHICS COMMISSION

By:  8/20/14  
James Klahr Date  
Executive Director

RESPONDENT COMMITTEE TO ELECT CHRIS CARTER, SR.

By:  8/20/14  
Chris Carter, Sr. Date  
Candidate

By:  8/20/14  
Curtis R. Stokes Date  
Attorney for Petitioner

## Committee to Elect Chris Carter, Sr.

Dear Family and Friends:

On August 1, 2012, we lost our voice in the 27<sup>th</sup> Ward, Gregory J. Carter, my brother and friend. The catalyst behind my decision to run for State Representative of the 76<sup>th</sup> District happened when my son Chris Carter was elected to continue the duties as the Alderman of the 27<sup>th</sup> Ward.

After prayerful consideration and many discussions among family, friends, and residents of the 27<sup>th</sup> Ward I realized the urgency of this task.

Being actively involved in civic and political issues, supporting my mother, Senator Paula J. Carter as well as my brother Alderman Gregory Carter for more than 30 years, I am compelled to continue what has already been established.

I am aware that this is an aggressive commitment that is needed and I am confident that I can bring some of those common sense ideas from the people to the Missouri House of Representatives.

I diligently support local non-profit organizations that support education, mentoring, jobs, and health awareness, this is my passion and it is going to take an extremely strong and dedicated grass roots organization to make it happen; therefore, I need your help to conduct an aggressive campaign.

We have already begun building winning strategies; and having good volunteers and secure finances is very important for us to have a successful campaign. I humbly invite you to get involved in my campaign to build "One Voice One Vision let us grow together in unity."

Early contributions are the key to any good foundation and your gift of \$100, \$250, \$500, or \$1,000 will help me raise the funds needed to launch this campaign, no later than October 31, 2013.

Enclosed is an envelope and reply card, please make all contributions to Committee to Elect Chris Carter, Sr. in the form of check, money order, or cashier's check.

Ronda and I are grateful to you for your generous support, prayers, and dedication to helping us with this tremendous endeavor. Make checks payable to Committee to Elect Chris Carter, Sr. please return by October 31, 2013.

Sincerely,



Chris Carter, Sr.

Committee to Elect Chris Carter Sr.

